

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID SIDOO et al.,

Defendants

No. 1:19-CR-10080-NMG

**MOTION TO STRIKE  
THE SECOND SENTENCE OF PARAGRAPH 119 AND ALL OF PARAGRAPH 121  
FROM THE FOURTH SUPERSEDING INDICTMENT**

Pursuant to Federal Rule of Criminal Procedure 7(d), and for the reasons explained in the accompanying memorandum of law, Defendants move to strike the second sentence of paragraph 119 and all of paragraph 121 from the Fourth Superseding Indictment.

Dated: May 29, 2020

Respectfully submitted,

/s/ Brian T. Kelly

Brian T. Kelly (BBO No. 549566)  
Joshua C. Sharp (BBO No. 681439)  
Lauren M. Maynard (BBO No. 698742)  
NIXON PEABODY LLP  
53 State Street  
Boston, MA 02109  
617-345-1000  
bkelly@nixonpeabody.com  
jsharp@nixonpeabody.com  
lmaynard@nixonpeabody.com

Robert Sheketoff (BBO No. 457340)  
One McKinley Square  
Boston, MA 02109  
617-367-3449

*Counsel for Gamal Abdelaziz*

/s/ David S. Schumacher

David S. Schumacher (BBO #647917)  
HOOPER, LUNDY & BOOKMAN, P.C.  
470 Atlantic Avenue, Suite 1201  
Boston, MA 02210  
(617) 532-2700  
(617) 345-3927 (fax)  
dschumacher@health-law.com

Patric Hooper (*pro hac vice*)  
HOOPER, LUNDY & BOOKMAN, P.C.  
1875 Century Park East, Suite 1600  
Los Angeles, California 90067-2517  
(310) 551-8111  
(310) 551-8181 (fax)  
phooper@health-law.com

Jordan Kearney (*pro hac vice*)  
HOOPER, LUNDY & BOOKMAN, P.C.  
575 Market Street, Suite 2300  
San Francisco, CA 94105  
(415) 875-8500  
(415) 875-8519 (fax)  
jkearney@health-law.com

*Counsel for Amy and Gregory Colburn*

/s/ Jack W. Pirozzolo

Jack W. Pirozzolo (BBO # 564879)  
jpirozzolo@sidley.com  
SIDLEY AUSTIN LLP  
60 State Street, 36th Floor  
Boston, MA 02109  
(617) 223-0304

John C. Hueston (*pro hac vice*)  
jhueston@hueston.com  
Marshall Camp (*pro hac vice*)  
mcamp@hueston.com  
HUESTON HENNIGAN LLP  
523 W. 6th Street, Suite 400  
Los Angeles, CA 90014  
(213) 788-4340

*Counsel for William McGlashan, Jr.*

/s/ David E. Meier

David E. Meier (BBO #341710)  
Todd & Weld LLP  
One Federal Street, 27th Floor  
Boston, MA 02110  
(617) 720-2626  
dmeier@toddweld.com

Stephen H. Sutro, Esq.  
Duane Morris, LLP  
Spear Tower  
One Market Plaza, Suite 2200  
San Francisco, CA 94105-1127  
(415) 957-3008  
SHSutro@duanemorris.com

*Counsel for Diane Blake and Todd Blake*

/s/ Reuben Camper Cahn

Reuben Camper Cahn (*pro hac vice*)  
Jennifer L. Keller (*pro hac vice*)  
Chase A. Scolnick (*pro hac vice*)  
KELLER/ANDERLE LLP  
18300 Von Karman Avenue, Suite 930  
Irvine, CA 92612  
Tel: (949) 476-8700  
rcahn@kelleranderle.com

*Counsel for I-Hsen "Joey" Chen*

/s/ R. Robert Popeo

R. Robert Popeo (BBO # 403360)  
Mark E. Robinson (BBO # 423080)  
Eóin P. Beirne (BBO # 660885)  
Cory S. Flashner (BBO # 629205)  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
One Financial Center  
Boston, MA 02111  
(617) 348-1605 (telephone)  
(617) 542-2241 (fax)  
rpopeo@mintz.com  
mrobinson@mintz.com  
ebeirne@mintz.com  
csflashner@mintz.com

/s/ Michael Kendall

Michael Kendall (BBO # 544866)  
Yakov Malkiel (BBO # 689137)  
WHITE & CASE LLP  
75 State Street  
Boston, MA 02109-1814  
Telephone: (617) 979-9310  
michael.kendall@whitecase.com  
yakov.malkiel@whitecase.com

Andrew E. Tomback (*pro hac vice*)  
WHITE & CASE LLP  
1221 Avenue of the Americas  
New York, NY 10020  
Telephone: (212) 819-8428  
andrew.tomback@whitecase.com

*Counsel for John Wilson*

/s/ Tracy A. Miner

Tracy A. Miner (BBO No. 547137)  
Megan A. Siddall (BBO No. 568979)  
Miner Orkand Siddall LLP  
470 Atlantic Ave, 4th Floor  
Boston, MA 02110  
Tel.: (617) 273-8377  
Fax: (617) 273-8004  
tminer@mosllp.com  
msiddall@mosllp.com

*Counsel for Homayoun Zadeh*

*Counsel for Elisabeth Kimmel*

/s/ Michael K. Loucks

Michael K. Loucks (BBO #305520)  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP  
500 Boylston Street  
Boston, MA 02116  
(617) 573-4800  
michael.loucks@skadden.com

Jack P. DiCanio (*pro hac vice*)  
Allen J. Ruby (*pro hac vice*)  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP  
525 University Avenue  
Palo Alto, CA 94301  
(650) 470-4500  
jack.dicanio@skadden.com  
allen.ruby@skadden.com

*Counsel for Marci Palatella*

/s/ Martin G. Weinberg

Martin G. Weinberg  
Mass. Bar No. 519480  
20 Park Plaza, Suite 1000  
Boston, MA 02116  
(617) 227-3700  
owlmgw@att.net

Matthew L. Schwartz (*admitted pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
55 Hudson Yards  
New York, NY 10001  
Tel.: (212) 446-2300  
Fax: (212) 446-2350  
E-mail: mlschwartz@bsfllp.com

*Counsel for Robert Zangrillo*

**LOCAL RULE 7.1(A)(2) CERTIFICATION**

I hereby certify that I conferred with counsel for the government in an attempt to resolve or narrow the issues raised by this motion.

/s/ Brian T. Kelly  
Brian T. Kelly

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the forgoing was filed electronically on May 29, 2020, and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing.

/s/ Brian T. Kelly  
Brian T. Kelly